

JPW

PATENT
Customer Number: 22,852
Attorney Docket No. 07414.0101-17000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Paul D. GROSSMAN et al.) Group Art Unit: 1634
)
Application No.: 10/825,074) Examiner: Not Yet Assigned
)
Filed: April 14, 2004) Confirmation No. 7150
)
For: PROBE COMPOSITION)
AND METHOD)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents listed on the attached IDS Form PTO/SB/08. This Information Disclosure Statement is being filed, to the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents were previously submitted or were cited by the Examiner in at least one of U.S. Patent Application No. 10/167,337, filed June 10, 2002, now U.S. Patent No. 6,759,202 B2; U.S. Patent Application No. 09/580,680, filed May 30, 2000; U.S. Patent Application No. 09/111,632, filed July 7, 1998; U.S. Patent Application No. 08/643,709, filed May 6, 1996, now U.S. Patent No. 5,777,096; U.S. Patent Application No. 08/102,372, filed August 4, 1993, now U.S. Patent No. 5,514,543; U.S. Patent Application No. 07/973,118, filed November 6, 1992; U.S. Patent

Application No. 07/866,018, filed April 7, 1992, now U.S. Patent No. 5,470,705; and U.S. Patent Application No. 07/862,642, filed April 3, 1992; all of which applicants rely upon for the benefits provided in 35 U.S.C. § 120.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

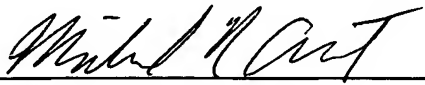
Applicants further reserve the right to take appropriate action to establish the patentability of the claimed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

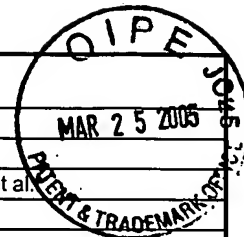
If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: March 25, 2005

By: 
Michael R. Albrecht
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Customer No. 22,852



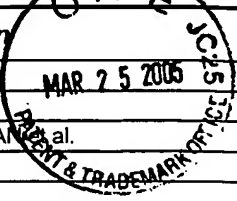
IDS Form PTO/SB/08: Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Application Number	10/825,074
				Filing Date	April 14, 2004
				First Named Inventor	Paul D. GROSSMAN et al.
				Art Unit	1634
				Examiner Name	Not yet assigned
Sheet	1	of	2	Attorney Docket Number	07414.0101-17000

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US - 4,683,202	07/28/1987	Mullis	
		US - 4,879,214	11/07/1989	Kornher et al.	
		US - 4,883,750	11/28/1989	Whiteley et al.	
		US - 4,925,785	05/15/1990	Wang et al.	
		US - 5,011,769	04/30/1991	Duck et al.	
		US - 5,061,361	10/29/1991	Gordon	
		US - 5,093,232	03/03/1992	Urdea et al.	
		US - 5,108,568	04/28/1992	Van Alstine	
		US - 5,171,534	12/15/1992	Smith et al.	
		US - 5,470,705	11/28/1995	Grossman et al.	
		US - 5,514,543	05/07/1996	Grossman et al.	
		US - 5,580,732	12/03/1996	Grossman et al.	
		US - 5,777,096	07/07/1998	Grossman et al.	
		US - 5,807,682	09/15/1998	Grossman et al.	
		US - 6,759,202 B2	06/10/2002	Grossman et al.	

Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁵
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO 92/08728	05-29-1992	Agrawal et al.		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
		Agrawal, S. et al., "Site-Specific Functionalization of Oligodeoxynucleotides for Non-Radioactive Labeling," <i>Tetrahedron Letters</i> , 31(11):1543-1546 (1990).	
		Barany, F., "Genetic Disease Detection and DNA Amplification Using Cloned Thermostable Ligase," <i>Proc. Natl. Acad. Sci. USA</i> , 88:189-193 (1991).	
		Chen et al., "Low-Cost, High-Sensitivity Laser-Induced Fluorescence Detection for DNA Sequencing by Capillary Gel Electrophoresis," <i>J. Chrom.</i> , 559:237-246 (1991).	
		Cload, S. et al., "Polyether Tethered Oligonucleotide Probes," <i>J. Am. Chem. Soc.</i> , 113: 6324 (1991).	
		Cohen, A. et al., "High-Performance Capillary Electrophoretic Separation of Bases, Nucleosides, and Oligonucleotides: Retention Manipulation via Micellar Solutions and Metal Additives," <i>Anal. Chem.</i> , 59(7): 1021-1027 (1987).	

IDS Form PTO/SB/08: Substitute for form 1449A/PTO				<div style="text-align: right;">  </div>		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known		
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				Art Unit	1634	
				Examiner Name	Not yet assigned	
Sheet	2	of	2	Attorney Docket Number		07414.0101-17000

NON PATENT LITERATURE DOCUMENTS			
		Cunico, R. et al., "Characterization of Polyethylene Glycol Modified Proteins Using Charge Reversed Capillary Electrophoresis," <i>J. Chrom.</i> , 559:467-477 (1991).	
		Duck, P. et al., "Probe Amplifier System Based on Chimeric Cycling Oligonucleotides," <i>BioTechniques</i> , 9(2):142-148 (1990).	
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		Kambara et al., "Real Time Automated Simultaneous Double-Stranded DNA Sequencing Using Two-Color Fluorophore Labeling," <i>BioTechnology</i> , 9:648-651 (1991).	
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		Landegren, U. et al., "A Ligase-Mediated Gene Detection Technique," <i>Science</i> , 241:1077-1080 (1988).	
		Livak, K. et al., "Detection of Single Base Differences Using Biotinylated Nucleotides with Very Long Linker Arms," <i>Nuc. Acids Res.</i> , 20(18):4831-4837 (1992).	
		Mayer, P. et al., "Theory of DNA Sequencing Using Free Solution Electrophoresis of Protein-DNA Complexes," <i>Analytical Chem.</i> , 66:1777-1780 (1994).	
		Müller, W. et al., "Polyethylene Glycol Derivatives of Base and Sequence Specific DNA Ligands: DNA Interaction and Application for Base Specific Separation of DNA Fragments by Gel Electrophoresis," <i>Nuc. Acids Res.</i> , 9(1):95-119 (1981).	
		Nathakarkitkool, S. et al., "High-Resolution Capillary Electrophoretic Analysis of DNA in Free Solution," <i>Electrophoresis</i> , 13:18-31 (1992).	
		Noolandi, J., "A New Concept for Sequencing DNA by Capillary Electrophoresis," <i>Electrophoresis</i> , 13: 394-395 (1992).	
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		Righetti, P., "Recent Developments in Electrophoretic Methods," <i>J. Chrom.</i> , 516:3-22 (1990).	
		Saiki, R. et al., "Enzymatic Amplification of β -Globin Genomic Sequences and Restriction Site Analysis for Diagnosis of Sickle-Cell Anemia," <i>Science</i> , 230:1350-1354 (1985).	
		Skolnick, M. et al., "Simultaneous Analysis of Multiple Polymorphic Loci Using Amplified Sequence Polymorphisms (ASPs)," <i>Genomics</i> , 2: 273-279 (1988).	
		Winn-Deen, E. et al., "Sensitive Fluorescence Method for Detecting DNA Ligation Amplification Products," <i>Clinical Chemistry</i> , 37(9): 1522-1523 (1991).	
		Wu, D. et al., "Specificity of the Nick-Closing Activity of Bacteriophage T4 DNA Ligase," <i>Gene</i> , 76: 245-254 (1989).	
		Wu, D. et al., "The Ligation Amplification Reaction (LAR)-Amplification of Specific DNA Sequences Using Sequential Rounds of Template-Dependent Ligation," <i>Genomics</i> , 4:560-569 (1989).	
		"Optimization and Troubleshooting DNA Sequencing with the Model 370A for use with Version 1.20 data analysis software," <i>Applied Biosystems User Bulletin</i> , 7:1-15 (April 15, 1998).	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.